

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

ERIN WILSON, individually and on behalf
of others similarly situated,

Plaintiff,

v.

COOKUNITY LLC,

Defendant.

Case No. 1:25-cv-03237-TRJ

DEFENDANT’S NOTICE OF SUPPLEMENTAL AUTHORITY

Defendant CookUnity Inc. (incorrectly identified herein as CookUnity LLC) (“CookUnity”) respectfully submits *El Sayed v. Naturopathica Holistic Health, Inc.*, No. 8:25-cv-00847-SDM-CPT, 2025 WL 2997759 (M.D. Fla. Oct. 24, 2025), (attached hereto as Exhibit 1) as supplemental authority.

In *El Sayed*, the court explicitly “agree[d] with and adopt[ed]” Judge Winsor’s opinion in *Davis v. CVS Pharmacy, Inc.*, No. 4:24-cv-477-AW-MAF, 2025 WL 2491195 (N.D. Fla. Aug. 26, 2025), and concluded that “[t]he omission of ‘text message’ from [47 U.S.C. §] 227(c)(5) confirms that the provision applies only to a ‘telephone call.’” *El Sayed*, 2025 WL 2997759, at *2; *see also* ECF No. 25 at 3–5 of 14 (discussing Judge Winsor’s *Davis* opinion).

Dated: October 31, 2025

Respectfully submitted,

EVERSHEDS SUTHERLAND (US) LLP

s/ Francis X. Nolan, IV

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Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Notice of Supplemental Authority has been electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record, on this 31st day of October, 2025.

/s/ Francis X. Nolan, IV

Francis X. Nolan, IV (pro hac vice)